

### **REMARKS**

After entry of this amendment, claims 1-13, 15-36, and 38-47 are pending. In the present Office Action, claims 1-37 were rejected under 35 U.S.C. § 102(b) as being anticipated by Reuter et al., U.S. Patent Application Publication No. 2002/0019908 ("Reuter"). Applicant respectfully traverses this rejection and requests reconsideration.

#### **Claims 1-13 and 15**

Applicant respectfully submits that claims 1-13 and 15 recite combinations of features not taught or suggested in the cited art. For example, claim 1 recites a combination of features including: "provide an automatic mapping of resources from the first computer system configuration to the second computer system configuration".

The above highlighted features were originally included in claim 14. With regard to claim 14, the Office Action asserts that Reuter anticipates the features, citing the mirroring in paragraph [0104]. Applicant respectfully disagrees. Mirroring is part of a RAID configuration. It is not an automatic mapping from one computer system configuration to another. The mirror storage device makes a copy of the data that is stored on the primary storage device, and provides redundancy in the event that the primary device fails. However, the mirror storage device is merely a copy of the data from the primary device, not a configuration that comprises a plurality of computer system resources.

Furthermore, even if one presumes that the primary storage device is a first computer system configuration and the mirror storage device is a second computer system configuration, Reuter does not teach or suggest "present a graphical view of a first computer system configuration comprising a first plurality of computer system resources; concurrent with presenting the graphical view of the first computer system configuration, present a graphical view of a second computer system configuration comprising a second plurality of computer system resources". To anticipate these features, Reuter would have to teach presenting a graphical view of the primary storage device and a graphical view of the mirror. Reuter includes no such teachings. In fact, since the mirroring is a

property of Reuters volumes, the mirror would be invisible to the user in Reuter's virtual disk mechanism. That is, one cannot define the mirror as a separately-viewable disk in Reuter's mechanism. If one could, then one could also modify the mirror independent of the disk that it mirrors, which would destroy its operation as a mirror.

For at least the above stated reasons, Applicant submits that claim 1 is patentable over the cited art. Claims 2-13 and 15, dependent from claim 1, recite additional combinations of features not taught or suggested in the cited art.

#### Claims 16-22 and 28-36

Applicant respectfully submits that claims 16-22 and 28-36 recite combinations of features not taught or suggested in the cited art. For example, claim 28 recites a combination of features including: "the first configuration corresponds to a backed-up computer system and the second configuration corresponds to a computer system that the backup is being restored to".

The above highlighted features were originally included in claim 37 (as renumbered in the present Office Action). With regard to claim 37, the Office Action asserts that Reuter anticipates the features, citing the mirroring in paragraph [0104]. Specifically, the Office Action asserts that upon mirroring, a backed up computer system is provided wherein when a bad disk is detected, RAID moves over to the mirrored partition and inherently provides a restore function upon insertion of a new disk in response to the detection. Applicant respectfully disagrees. The mirror storage device makes a copy of the data that is stored on the primary storage device, and provides redundancy in the event that the primary device fails. However, the mirror storage device is merely a copy of the data from the primary device, not a configuration.

Furthermore, even if one presumes that the primary storage device is a first computer system configuration and the mirror storage device is a second computer system configuration, Reuter does not teach or suggest "present a graphical view of a first configuration" comprising a first one or more volumes mapped to a first one or more

storage devices; concurrent with presenting the graphical view of the first computer system configuration, present a graphical view of a second configuration comprising a second one or more volumes to a second one or more storage devices". To anticipate these features, Reuter would have to teach presenting a graphical view of the primary storage device and a graphical view of the mirror. Reuter includes no such teachings. In fact, since the mirroring is a property of Reuters volumes, the mirror would be invisible to the user in Reuter's mechanism. That is, one cannot define the mirror as a separately-viewable disk in Reuter's mechanism. If one could, then one could also modify the mirror independent of the disk that it mirrors, which would destroy its operation as a mirror.

For at least the above stated reasons, Applicant submits that claim 28 is patentable over the cited art. Claims 29-36, dependent from claim 28, recite additional combinations of features not taught or suggested in the cited art.

Claim 16 recites a combination of features including: "presenting a graphical view of a first computer system configuration comprising a first plurality of computer system resources, wherein the first computer system configuration corresponds to a backup of a computer system; concurrently with presenting the graphical view of the first computer system, presenting a graphical view of a second computer system configuration comprising a second plurality of computer system resources, wherein the first computer system configuration corresponds to a target computer system on which a restore is to be performed; and providing a mechanism to capture data representing at least a first resource of the first plurality of computer system resources from the first computer system configuration and insert the data in the second computer system configuration". For reasons similar to those highlighted above with regard to claim 28, Applicant submits that claim 16 is patentable over the cited art. Claims 17-22, dependent from claim 16, recite additional combinations of features not taught or suggested in the cited art.

#### Claims 23-27

Applicant respectfully submits that claims 23-27 recite combinations of features not taught or suggested in the cited art. For example, claim 23 recites a combination of features including: "provide the user with a mechanism to capture data representing at least a first resource of the first plurality of computer system resources from the first computer system configuration and insert the data in the second computer system configuration, and wherein the mechanism does not permit the user to change the first computer system configuration".

Reuter does not teach or suggest the above highlighted features. The user is permitted to modify any virtual disk configuration in Reuter. For at least the above stated reasons, Applicant submits that claim 23 is patentable over the cited art. Claims 24-27, dependent from claim 23, recite additional combinations of features not taught or suggested in the cited art.

#### New Claims 38-47

Applicant respectfully submits that new claims 38-47 recite combinations of features not taught or suggested in the cited art. For example, claim 37 recites a combination of features including:

present a graphical view of a first computer system configuration  
comprising a first plurality of computer system resources;  
concurrent with presenting the graphical view of the first computer system configuration, present a graphical view of a second computer system configuration comprising a second plurality of computer system resources; and  
provide a mechanism to capture data representing at least a first resource of the first plurality of computer system resources from the first computer system configuration and insert the data in the second computer system configuration, wherein the second computer system configuration is a proposed configuration being developed by a user, and wherein modifications to the second computer system configuration are displayed in the graphical view but are not implemented on a target computer system until the user commits the modifications.

These features comprise the features of original claim 12, rewritten in independent form. With regard to claim 12, the Office Action asserts that Reuter anticipate "the second computer system configuration is a proposed configuration being developed by a user, and wherein modifications to the second computer system configuration are displayed in the graphical view but are not implemented on a target computer system until the user commits the modifications" with the finish button in Fig. 14. However, the finish button is displayed on the last of six steps of a virtual disk configuration wizard that obscures the current configuration. Thus, Reuter fails to anticipate the concurrent graphical views of the first system configuration and the second system configuration.

For at least the above stated reasons, Applicant submits that claim 38 is patentable over the cited art. Claims 39-47, dependent from claim 38, recite additional combinations of features not taught or suggested in the cited art.

#### Claim Numbering Objection

The Office Action objected to the claim numbering because there was two claim number 32's. The Office Action indicated that the second claim number 32 was renumbered as 37. Applicant has adhered to the modified claim numbering in this response.

#### Information Disclosure Statement (IDS)

Applicant filed an additional IDS after the mailing of the present Office Action. Applicant respectfully requests consideration of the IDS and a return of the PTO-1449 form included therewith, initialed and signed to evidence such consideration.

### CONCLUSION

Applicant submits that the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5760-20400/LJM.

Respectfully submitted,

/Lawrence J. Merkel/

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